

## REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 8, 1937.

The meeting was called to order at 11:20 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 4; absent, Councilman C. M. Bartholomew, 1.

The Minutes of the regular meetings of May 20, May 27, June 3, June 10, June 17, June 24, and July 1 were read, and, after having been corrected, upon motion of Councilman Gillis were adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following:

"Austin, Texas  
July 8, 1937

Mr. Guiton Morgan  
City Manager  
Austin, Texas

Dear Sir:

We, the undersigned, have considered the application of the College Stores Properties, Inc., acting by and through Frank R. Rundell, for permission to construct, maintain, and operate a drive-in gasoline filling station and to construct commercial driveways in conjunction therewith upon property located at the northeast corner of the intersection of East 17th Street and San Jacinto Street, which property is known as Lot 1, Outlot 57, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and which property is owned by the said College Stores Properties, Inc., and we hereby advise that the following conditions exist:

The property upon which this filling station is to be located is designated as "C" Commercial Use District upon the zoning maps of the City of Austin.

A storm sewer exists in San Jacinto Street opposite the above described property.

We recommend that the College Stores Properties, Inc., acting by and through Frank R. Rundell, be granted permission to construct, maintain and operate said drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the following conditions:

(1) That all buildings and equipment shall be placed inside of the property line, correct lines to be obtained before construction starts or equipment is installed. Lines and grades to be obtained from the City Engineering Department for entrances and driveways, building lines to be approved by the Building Inspector. That the applicant shall confer with the City Engineering Department as to the future grades of the sidewalks and gutters on the adjacent streets before he starts any construction relative to the filling station.

(2) That all construction of the filling station improvements shall be in accord with the building ordinance, the Zoning Ordinance, the Filling Station Ordinance, and in accord with the ordinance prohibiting the disposal of commercial water or oils upon the City streets.

(3) That the grades of the station shall be such that no waste oils or water or any floor washings shall ever pass over the City sidewalk area and that all of said oils and water shall be concentrated into a combined grease and sand trap which shall be constructed in accordance with our standard plan 2-H-146 and shall be conducted by a pipe connection from said sand trap to the nearest storm sewer at the expense of the applicant. Before commencement of any construction, the applicant shall apply to the City Engineer for an estimate of the cost of that portion of the storm sewer which will have to be built within any City street or alley and shall deposit in escrow a sum equal to said estimate with the City Finance Director.

(4) That all filling station improvements, pumps, driveways, ramps, gutters, sidewalks and curbs shall be constructed of concrete at the expense of the applicant as set forth upon the plan hereto attached, which plan bears the City Engineer's file number 2-H-554.

(5) Expansion joints shall be constructed as shown upon the plan hereto attached marked 2-H-554 and shall be of the pre-moulded type.

(6) That before use of said station, the owner shall apply to the Building Inspector for final inspection when he considers that he has complied with all the requirements of the City.

Respectfully submitted,

J. E. Motheral, City Engineer.  
J. C. Eckert, Building Inspector."

## (RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property situated at the northeast corner of the intersection of East 17th Street and San Jacinto Street, which property is owned by College Stores Properties, Inc., and is designated as Lot 1, Outlot 57, Division "E" of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, and hereby authorizes the said College Stores Properties, Inc., acting by and through Frank R. Rundell, to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same's being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said College Stores Properties, Inc., have failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

WHEREAS, the curb and sidewalk specifications of the City of Austin which have been previously adopted by the City Council of the City of Austin require that all curbs and sidewalks be constructed of concrete unless a special permit has been secured from the City Council of the City of Austin to construct curbs, sidewalks and ramps of other materials; and

WHEREAS, Ethel Wood Roberdeau, owner of the south 43½ feet of Lot 12, and the north 10 feet of Lot 13 of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Harris Boulevard at a location north of Hardouin Avenue, and being locally known as 2512 Harris Boulevard, has requested the City Council of the City of Austin to grant permission to construct a flagstone walk from the curb line to the property line at the above described location; and

WHEREAS, the City Council of the City of Austin has investigated and approved the construction of said flagstone walk; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Ethel Wood Roberdeau, owner of the south 43½ feet of Lot 12 and the north 10 feet of Lot 13 of Pemberton Heights, a subdivision within the City of Austin, Travis County, Texas, which property abuts the west side of Harris Boulevard at a location north of Hardouin Avenue, and being locally known as 2512 Harris Boulevard, is hereby granted permission to construct a flagstone walk from the property line to the curb line at the above described location and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with the lines and grades furnished by the Engineering Department of the City of

Austin, and further subject to the following conditions:

That the stone shall be laid in a smooth and workmanlike manner and shall conform to the sidewalk grades and curb grades as given by the Engineering Department of the City of Austin in order that same will not create a hazard to pedestrians.

That the stone shall be placed upon a 4" concrete base and that all work within the City streets shall be done by a bonded sidewalk contractor and in accordance with the instructions and directions of the City Engineer of the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Alford offered the following resolution:

WHEREAS, Sam Busby is the Contractor for the construction of a building located at 609 Brazos Street and desires a portion of the sidewalk and street space abutting part of Lot 11 and Lot 12, in Block 68 of the Original City of Austin, Texas, during the construction of the building, such space to be used in the work and for the storage of materials therefor; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to the said Sam Busby, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southwest corner of the above described property; thence in a westerly direction 14 feet to a point; thence in a northerly direction and parallel to the center of Brazos Street a distance of 19 feet to a point; thence in an easterly direction 14 feet to the northwest corner of said property; thence southerly 19 feet to the point of beginning.

2. THAT the above privileges and allotment of space are granted to the said Sam Busby, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space in Brazos Street, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rails.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials, and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment, and other obstructions shall be removed not later than August 7, 1937.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the

use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted, or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Two Thousand (\$2000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin, and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis offered the following resolution:

WHEREAS, Lawrence Buaas is the Contractor for the repair of a fuel oil tank located beneath the sidewalk at 610-612 Brazos Street, and desires a portion of the sidewalk space abutting Lot B, Block 69 of the Original City of Austin, during the repair of said fuel oil tank, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted said Lawrence Buaas, the boundary of which is described as follows:

Sidewalk Working Space

This space to consist of a space immediately over the manhole of this tank and to be not over 6' x 8' in size and leaving a clear passage of not less than 4 feet between the above described space and the building, to allow for the passage of pedestrians.

2. THAT the above privileges and allotment of space are granted to said Lawrence Buaas, hereinafter termed "Contractor," upon the following express terms and conditions:

(1) That the Contractor shall construct a guard rail within the boundary lines of the above described space, such guard rail to be at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(3) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than July 14, 1937.

(4) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(5) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional

barriers or safeguards if the conditions demand it.

(6) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand (\$1,000.00) Dollars, which shall protect, indemnify, and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement, and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed in the name of the City of Austin to sell and convey by warranty deed to D. K. Brace, for the consideration of Sixteen Hundred Dollars (\$1600) cash, the following described property: Lots 15 and 16 of the Shoal Creek Boulevard Lots Addition to the City of Austin, as shown by the original plat of said Addition, and recorded in the Plat Records of Travis County, Texas.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Gillis introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 1 OF THE CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING THE OPERATION AND EXHIBITION OF CIRCUSES, DRAMATIC AND THEATRICAL SHOWS, CARNIVALS, MERRY-GO-ROUNDS, MEDICINE SHOWS, WHIPS, VAUDEVILLE SHOWS, FLYING-JENNYS, SKATING-RINKS, MINSTREL SHOWS AND MOVING PICTURE SHOWS, CONDUCTED IN A TENT, TEMPORARY STRUCTURE, OR IN THE OPEN AIR, WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, AND PRESCRIBING A PENALTY FOR THE VIOLATION HEREOF, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH," AS PASSED BY THE CITY COUNCIL ON SEPTEMBER 20, 1934, AND RECORDED IN BOOK "J", PAGES 619-620 OF THE ORDINANCE BOOKS OF THE CITY OF AUSTIN.

The ordinance was read the first time and Councilman Gillis moved that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the second time and Councilman Gillis moved that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

The ordinance was read the third time and Councilman Gillis moved that the ordinance be finally passed. The motion carried by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Councilman Wolf offered the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Manager be and he is hereby authorized and directed in the name

of the City of Austin to sell and convey by warranty deed to James A. Garrison, for the consideration of Eight Hundred Dollars (\$800) cash, the following described property: Lot 14 of the Shoal Creek Boulevard Lots Addition to the City of Austin, as shown by the original plat of said Addition, and recorded in the Plat Records of Travis County, Texas.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Gillis, Mayor Miller, and Councilman "Wolf, 4; nays, none; Councilman Bartholomew absent, 1.

Upon motion, duly seconded and carried, the meeting was recessed at 12:25 P. M., subject to call of the Mayor.

Approved:

Tom Miller  
Mayor

Attest:

Harris McCallum  
City Clerk

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, July 15, 1937.

The meeting was called to order at 10:50 A. M., with Mayor Tom Miller presiding. Roll call showed the following members present: Councilmen C. F. Alford, C. M. Bartholomew, Simon Gillis, Mayor Tom Miller, and Councilman Oswald G. Wolf, 5; absent, none.

The reading of the Minutes was dispensed with.

Mr. E. A. Murchison, President of the Board of Trustees of the Austin Public Schools, and Prof. A. N. McCallum, Superintendent of Schools, submitted the following request for an extension of the city limits for school purposes only:

" Austin, Texas  
July 13, 1937

Honorable Mayor and City Council  
Austin, Texas

Gentlemen:

This is to certify that the resolution quoted below was unanimously adopted by the Austin School Board at its regular meeting held July 12, 1937, on motion of Mr. J. Harris Gardner:

"BE IT RESOLVED by the Board of Trustees of the Austin Public Schools that we recommend to the City Council that the corporate limits of the City of Austin be extended for school purposes only so as to embrace the territory